



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
Bonnette, et al.) Examiner Johnson
Serial Number: 10/748,452) Art Unit 3728
Filed: 12/30/2003)
For: Packaging System With)
Oxygen Sensor)

Commissioner for Patents
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

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J.A. BATH

Print Name

JABATH

Signature

ELECTION

This Election is in response to the Office action mailed April 18, 2005. Please amend the above reference patent application as follows.

Charge or credit any small business entity fees to Deposit Account 10-0230.

Election Requirement

Applicants hereby elect Invention II, claims 9-22.

RESPONSE

Reconsideration in view of the foregoing election and following remarks is respectfully requested.

In response to the requirements of the Office action mailed April 18, 2005, Applicants provisionally elect Invention II, claims 9-22, which are drawn to a storage arrangement, with traverse. Applicants further elect the patentably distinct species identified by the Examiner as **FIGS. 1 and 2** for prosecution on the merits if no generic claim is finally held allowable. Applicants identify the following claims as readable upon the elected species: claims 9 and 11-22.

Applicants respectfully traverse the restriction requirement on the grounds that the Examiner's reasoning concerning the lack of necessity of evacuation of air in making the product is misincorporating logic; more particularly, that the restriction concerns a process of making and a product made. Rather, it is respectfully submitted that the storage arrangement recited in claim 9 may be viewed as a precursor to be used in the method of claim 1. For this reason, reconsideration and withdrawal of the restriction requirement is now respectfully requested.

If there are any further issues yet to be resolved to advance the prosecution of this patent application to issue, the Examiner is requested to telephone the undersigned counsel.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,

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